



CANNON BUILDING
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**STATE OF DELAWARE
BOARD OF NURSING**

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| PUBLIC MEETING NOTICE: | BOARD OF NURSING Meeting Minutes |
| DATE AND TIME: | Wednesday, October 8, 2014 at 9:00 a.m. |
| PLACE: | Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904 |
| Minutes Approved: | November 12, 2014 |

MEMBERS PRESENT

Robert Contino, President, RN Educator Member
Megan Williams, APN Member
Harland Sanders, Jr., Public Member
Madelyn Nellius, Public Member
Mary Lomax, Public Member
David Salati, RN Member
Kathy Bradley, LPN Member
Christine Moses, APN Member
Raymond Moore, Public Member
Linda Darling, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III
Jennifer Singh, Deputy Attorney General

MEMBERS ABSENT

Pamela Tyranski, Vice-President, RN Member
Dianne Halpern, RN Member
Victoria Udealer, RN Member

ALSO PRESENT

Kim Hurley, Wilcox and Fetzer
Angela Thompson
JoAnn Baker
Lisa Schieffert
Karen Rollo
Elizabeth Ortiz
April Terry
Jennifer Zimmerman
Brandi Patterson
Sharon Billbrough
Karen Pickard

Marjorie Berna
Barbara J. Robinson
Lee Ann Shinaberry
Shannon Brainard
Deborah Jones
Gary Alderson
Ed Hertzler
Julia Seeley
Ceil Jones
Eleanor L. Stump
Rebecca Walker
Stacey Stewart

Dr. Contino called the meeting to order at 9:08 a.m. The Board introduced themselves to the public. Christine Moses and Raymond Moore were welcomed as new members on the Board of Nursing. Dr. Contino thanked Delphos Price for his years of service.

REVIEW OF MINUTES (September 10, 2014)

The Board reviewed the minutes of the September 10, 2014 meeting. It was noted that under 'Members Present' Ms. Darling had 'LPN' next to her name, when her actual title is 'RN'. Mr. Sanders made a motion, seconded by Ms. Bradley, to approve the minutes as corrected. By majority vote, the motion carried, with Dr. Lomax, Ms. Moses, and Mr. Moore abstaining.

ADOPTION OF THE AGENDA

Mr. Sanders made a motion, seconded by Mr. Salati, to adopt the amended agenda as written. By unanimous vote, the motion carried.

ACTIVITIES REPORT

Dr. Zickafoose reported the number and types of active licenses as of October 7, 2014.

RN = 17,036 (RN permits = 15)
LPN = 2,862 (LPN permits = 3)
APN = 1,449 (APN permits = 8)
Military Provisional License = 1
Advanced Practice Nurses: NP = 930; CRNA = 345; CNS = 137; CNM = 37
Total permits = 26
Total Active Licenses = 21,348

UNFINISHED BUSINESS

None

COMMITTEE REPORTS

APN Committee: Dr. Williams said the committee met on September 27th in Dover. She said the committee continued to focus on the Consensus Model legislation and APRN practice barriers, and hoped to submit their proposed legislation to Mr. Mangler by the November 14th deadline. Dr. Williams said Dr. Zickafoose, Mr. Price, and Dr. Prettyman met with the Medical Society of Delaware, specifically the Government Affairs Committee, on October 4th where they gave the Consensus Model presentation and answered questions. Most of the conversation focused on the collaborative agreement and possible removal of that requirement from the Nursing regulations. There was some opposition and a suggestion was made to form a taskforce to determine areas where we could reach consensus. Sandy Elliott informed the committee that HB319 will be reintroduced in January 2015. The next meeting is scheduled for October 27th in Newark.

AWSAM Committee: Dr. Zickafoose said the committee met on July 15th and are scheduled to meet again on October 14th. She said a letter will be submitted to Mr. Mangler by November 14th requesting the submission of the LLAM bill in the hopes it will be introduced in early January 2015. The committee worked on a 'talking points' document which will be shared with legislators, stakeholders, and other community members to give an overview of what AWSAM used to be, what it has morphed into, and what LLAM now represents.

Rules and Regulations Committee: Ms. Darling reported she is reviewing the requirements for a refresher course and comparing it to the supervised practice plan. Last month a question was raised about the settings where a supervised practice plan could be done so it is necessary to know what is currently available. She explained the regulations for both are vague as she was reviewing the issue she had several questions:

- 1) How the legislation for this was originally developed?
- 2) What curriculum should be in a nursing refresher program?
- 3) How frequently are these courses being offered?

She said she'd like to meet with people to get more information and asked anyone that is familiar with nursing refresher programs to share that information with her. When asked if there were other members on this committee, Dr. Zickafoose said the committee hasn't been active lately but she would meet with Ms. Darling to discuss it. Dr. Zickafoose also reminded the Board that the Practice & Education Committee reviews Refresher Courses and their annual reports are due December 1st.

PRESIDENT'S REPORT

Dr. Contino said two weeks ago he attended the National League for Nursing Education Summit in Phoenix, Arizona. The announcement was made that starting this spring they will publish their standards for becoming an accredited body, which will give nursing schools three options for accreditation.

- NLN – National League of Nursing; Dr. Zickafoose said a branch of the NLN is the CNEA – Commission for Nursing Education Accreditation
- ACEN – Accreditation Commission for Education in Nursing
- CCNE –Commission on Collegiate Nursing Education – They only accredit Baccalaureate and higher programs.

Dr. Contino thanked Board members for their service on the Board preparing for this meeting and for all the work they do outside this meeting each month keeping the public safe in the state of Delaware.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose said all changes to section 6 of the Rules and Regulations that were previously approved will become effective October 10, 2014. Two handouts were given to the Board; the Journal of Nursing Regulation and a brochure listing interactive courses that can be taken. She explained the Journal of Nursing Regulation is a valuable resource from the National Council of State Boards of Nursing who conducts evidence based research and the findings are published in the journal. Dr. Zickafoose gave an overview of the courses listed on the brochure and recommended three that would be beneficial to the new board members. She said she would be assigning new members a user name and password and she would let them know when they have access to the NCSBN site. Other members were encouraged to do the courses as well if they had not done so in the past.

Dr. Zickafoose said she was in Chicago last week as a new member of the Leadership Succession Committee for the National Council of the State Boards of Nursing. She said there would be more information to come.

She said she met recently with Pat Polansky from AARP, who contacted her from Washington. Ms. Polansky is the Director of Policy and Communications at the AARP Center to Champion Nursing in America. The Robert Wood Johnson Foundation and AARP are supporting nursing through eight initiatives; one of which is to remove the 'scope of practice' barriers, which is what the Consensus Model Bill and legislation for Advanced Practice Nurses also supports. The Delaware Nurses Association formed an action coalition a couple of years ago regarding the future of nursing. AARP is supporting this initiative financially and they have invited Dr. Zickafoose and Sarah Carmody, the Executive Director of the Delaware Nurses Association, to attend the AARP Leadership and Legacy meeting in Phoenix, Arizona in November.

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

By Examination

Lawrence Chandler II, GN

Mr. Chandler graduated from Delaware Technical Community College, Stanton Campus in December 2013. His CBC showed Assault on 2/14/1999. His letter of explanation stated he was sleep deprived and got into an argument with his wife. He explained that while arguing he pushed his wife, who was holding their baby at the time, and they fell. The baby was injured and was taken to the hospital. Mr. Chandler stated that he called his first sergeant from the hospital to report himself and was subsequently arrested. He answered 'no' to question #19 on his application. After Board discussion, Mr. Sanders made a motion, seconded by Dr. Williams, to propose to deny licensure by examination with the right to the applicant to a hearing. By unanimous vote, the motion carried.

Elizabeth Munyori, GPN

Ms. Munyori graduated from Leads School of Technology on 6/26/2010 and failed the NCLEX-PN exam three times. She submitted a new application dated June 2, 2014 and was required to take a review course since she was outside the two-year rule. Documents submitted were suspected of being fraudulent when compared with previous documentation from October 1, 2013. It was confirmed with the I & J Review Center via phone that Ms. Munyori did not attend this school in June 2014 for a review. After Board discussion, Mr. Sanders made a motion, seconded by Dr. Lomax, to propose to deny licensure by examination with the right to the applicant to a hearing. By unanimous vote, the motion carried.

By Endorsement

Courtney Edwards, RN

Ms. Edwards graduated from the University of Central Oklahoma, OK in May 1991. Two employee references were sent but were signed by Ms. Edwards and not the employers they were coming from. Ms. Edwards' letters of explanation stated she was mistakenly led to believe that she could put her initials by the signatures and that would make them valid. After Board discussion, Ms. Bradley made a motion, seconded by Dr. Williams, to propose to deny licensure by endorsement with the right to the applicant to a hearing. By unanimous vote, the motion carried.

Shawn Lafferty, RN

Mr. Lafferty graduated from Cecil College, MD in May 2009. His CBC showed Driving Vehicle While License is Suspended or Revoked on 2/16/2002. His letter of explanation stated he was young at the time and in the throes of alcohol addiction/dependence. He answered 'yes' to question #25 and stated, "2 DUI convictions in 2002." He also answered 'yes' to question #27 and stated, "Formerly alcohol dependent, sober since 2003, and still an active member of AA." After Board discussion, Ms. Bradley made a motion, seconded by Mr. Moore, to grant a waiver for licensure by endorsement. By unanimous vote, the motion carried.

Christine Onofrio, LPN

Ms. Onofrio applied for licensure by endorsement. She took the NCLEX on 1/27/14 and has an active New Hampshire LPN license with an expiration date of 5/12/15; however, she did not graduate from a Board approved program. She attended Our Lady of Lourdes School of Nursing, NJ from August 2011 until July 2013. Her letter of explanation stated that she withdrew from the RN Program on July 20, 2013 after taking the final exam because her grade was short of passing. She did not graduate or get a diploma but stated she feels she has the lecture hours and clinical hours to allow her Delaware licensure. She also stated that NJ denied her licensure and she has been working as a full-time nursing aid since Feb. 2014. After Board discussion, Dr. Lomax made a motion, seconded by Ms. Bradley, to grant Ms. Onofrio licensure by endorsement. By unanimous vote, the motion carried.

Kimberly Beddow, RN

Ms. Beddow graduated from Marymount University, VA in December 1998. Her CBC showed Assault with Intent to Kill while Armed on 3/29/1995. Her letter of explanation stated she was in a physically abusive relationship, and one night while working as an armed guard was approached by her abuser. She explained she fired a shot into the air in an attempt to save her life. She answered 'yes' to question #25 and stated 'please see attached'. After Board discussion, Dr. Williams made a motion, seconded by Ms. Moses, to grant Ms. Beddow licensure by endorsement. By unanimous vote, the motion carried.

Kristina Weston, RN

Ms. Weston graduated from Delaware County Community College, PA in June 2009. Her letter of explanation stated she let her nursing license expire in Mexico on March 30, 2012 by confusing the renewal dates of March and May. She should have renewed in March; however, she worked until May believing May was the renewal date. This caused her to work without a valid license for those two months. She answered 'yes' to question #25 and stated, "Mexico – Honest Mistake, Mixed up expiration dates on RN licenses. Paid Fine," as her response. After Board discussion, Mr. Sanders made a motion, seconded by Mr. Salati, to grant Ms. Weston licensure by endorsement. By unanimous vote, the motion carried.

Arlena Rowell, RN

Ms. Rowell graduated from North Harris Community College, TX in May 1989. Dr. Zickafoose stated Ms. Rowell was disciplined by the Florida Board of Nursing. After Board discussion, Mr. Salati made a motion, seconded by Dr. Lomax, to postpone the Board's decision pending clarification of a date on one of the documents that was received for Board review. By unanimous vote, the motion carried.

By Reinstatement

Kristin Print, RN

Ms. Print's CBC showed Simple Assault/Domestic Violence on 3/12/10. Her letter of explanation stated she was in an abusive relationship and was defending herself. She answered 'yes' to question #18 and stated, "Class B Misdemeanor Assault charge on 7/10/10 – Please see attached letter of explanation," as her response. After Board discussion, Mr. Salati made a motion, seconded by Ms. Bradley, to approve licensure by reinstatement. By unanimous vote, the motion carried.

Angela Thompson, LPN

Ms. Thompson's CBC showed Conspiracy in the second degree on 12/11/1991, and Criminal mischief under \$500 on 7/4/1989. Her letter of explanation stated she had just turned 18 years old and was mixed up with the wrong crowd. She participated in a crime and has since learned from her mistake. She answered 'yes' to question #18 and stated, "Felony, 1991 – 1992, 2nd Conspiracy," as her response. A board order from Texas was also submitted and NURSYS showed her RN license on

probation and CE's were required. After Board discussion, Ms. Nellius made a motion, seconded by Dr. Lomax, to approve licensure by reinstatement. By unanimous vote, the motion carried.

The Board took a short recess from 10:24 a.m. to 10:37 a.m.

Advanced Practice Nurse

None

Renewal

None

COMPLAINT ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Complaints 11-81-14 through 11-90-14 have been received but not assigned.

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only for the record.

Dismissed by the Attorney General's Office

None

Closed Investigations by the Division of Professional Regulation

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|----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|
| 11-70-13 | 11-69-13 | 11-84-14 | 11-83-14 | 11-107-13 | 11-100-13 | 11-99-13 | 11-110-13 |
| 11-66-14 | 11-103-14 | 11-102-13 | 11-101-13 | 11-96-13 | 11-94-13 | 11-91-13 | 11-128-13 |
| 11-83-14 | 11-85-14 | | | | | | |

HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Lilia Mujemulta, RN – Ms. Singh provided an overview of the Consent Agreement. Ms. Mujemulta did not get licensed within the 90 day regulation; therefore, she had worked without an active license. After Board discussion, Mr. Sanders made a motion, seconded by Ms. Bradley, to accept the Consent Agreement stipulating she will receive a Letter of Reprimand. By majority vote, the motion carried, with Dr. Lomax recused.

Hearing Panel Findings/Decisions/Orders

Edwin Hertzler, RN – Order from the September 17th hearing

Ms. Singh explained that 29 Del. C. § 10161(f) gives the authority to allow for a three member panel to hear a matter outside the regular monthly Board meeting. Under that provision orders issued by the hearing panel are not final until approved by the Board having jurisdiction. She explained that the Board will now deliberate on the record. Licensees are allowed to be heard before the Board when contested; however, the Board cannot consider additional evidence and only the recommended discipline.

Mr. Alderson introduced himself to the Board as Mr. Hertzler's attorney. He asked the Board for leniency today when they consider the hearing panel's recommendations. He talked about the panel recommendation letter sent to the Board dated October 3, 2014; and asked them to 'not pay attention to' anything in that letter that may be construed as an attempt to add additional evidence. He said the reason Mr. Hertzler was at the meeting was to emphasize that due to the transgressions that took place there was no harm done to any patient or any member of the public. As a result of these transgressions or rather subsequent to them, Mr. Hertzler identified the position he found himself in professionally and felt the situation was not ideal for him as a RN. He explained he has since taken a professional step to seek employment elsewhere. The panel heard evidence that he is doing very well in his new role in that

new practice as an RN at MeadowWood Hospital. In fact, Mr. Hertzler's Director of Nursing appeared at the panel hearing to speak on his behalf. Mr. Alderson asked the Board to pay particular attention to the points that were raised on page 3 of the letter that was provided to the Board. He asked the Board when they consider the recommendation of the panel that they consider the fact that it's been 17 months since these transgressions have taken place, during which time Mr. Hertzler has been employed successfully and considered an asset to his current employer and has had no disciplinary issues against him. The Board was asked to consider reducing the recommended two years of probation against his license to only one year for time served. Ms. Singh read the panel recommendations to the Board. After Board discussion, Mr. Sanders made a motion, seconded by Ms. Bradley, to accept the Hearing Panel Recommendations. By majority vote, the motion carried, with Dr. Lomax and Ms. Nellius recused.

Hearing Officer Recommendation(s)

Deborah Jones, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Singh describing the sanctions. Ms. Jones and her council, Ms. Shannon Brainard, attended the meeting. Ms. Singh explained they would have 10 minutes to speak to the Board. Ms. Brainard explained to the Board that Ms. Jones had an issue with letter '2c' on page 14 of the Hearing Officer Recommendation. A letter was sent to Dr. Zickafoose on September 18, 2014 explaining the issue and her suggestion for rewording it. Zickafoose read the letter to the Board and stated Ms. Jones next renewal would be on 9/30/15. Ms. Singh stated that their perspective is that Ms. Jones will petition for the lifting of her probation and she will not have a license subject to discipline at the time that she renews a year from now. Therefore, the Board cannot place a condition on the practice if her probation has been lifted. After considerable discussion, Mr. Sanders made a motion, seconded by Dr. Williams, to modify the Hearing Officer recommendation to state that at the time Ms. Jones requests in writing to have her Probation lifted, that the item about the affidavit letter be submitted as well. By unanimous vote, the motion carried.

Mavis Apenteng, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Singh describing the sanctions. After Board discussion, Mr. Sanders made a motion, seconded by Ms. Nellius, to accept the Hearing Officer Recommendation as written. By majority vote, the motion carried, with Mr. Salati recused.

Andrea Nopper, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Singh describing the sanctions. After Board discussion, Mr. Moore made a motion, seconded by Ms. Darling, to accept the Hearing Officer Recommendation with a modification to the recommended discipline from revocation to a five year suspension, at which time Ms. Nopper must petition the Board to lift suspension. By majority vote, the motion carried, with Ms. Moses opposing.

LEGISLATIVE UPDATES

Ms. Singh went over statutes 24 *Del. C.* § 1910(5), and 24 *Del. C.* § 1914(5) and suggested the Board consider broadening them to waive disqualifications under 24 *Del. C.* § 1922, not just criminal convictions. She read the statutes to the Board and said she would like to strike #2 under both. Ms. Singh said she will bring a draft copy of the changes to the next Board meeting for review and approval.

REVIEW OF COMPLIANCE

Gerda Crowley, RN

Dr. Zickafoose reported that Ms. Crowley received a letter of reprimand on May 20, 2014 and her license was placed on probation for 24 months until May 2016. She was ordered to submit contact hours within 90 days of the date of the order; however, she hasn't complied. Dr. Zickafoose said she sent her an email but it came back 'undeliverable' so she called and spoke with her. Ms. Crowley said

she no longer has an email address, is not working, and has no money to complete her contact hours. Dr. Zickafoose said she suggested free CE programs at the library. Ms. Singh explained for new members on the Board that a Consent Agreement is an order of the Board and when it is violated the licensee will be scheduled for a Rule to Show Cause hearing. After further discussion, Mr. Salati made a motion, seconded by Dr. Lomax, to submit a Rule to Show Cause Hearing based on Ms. Crowley's violation of terms of her probation. By unanimous vote, the motion carried.

PRACTICE WITHOUT LICENSURE REVIEWS

None

PRACTICE ISSUES

None

EDUCATIONAL ISSUES

CCNE Press Release – Dr. Contino said the U.S. Department of Education has announced that it has renewed its formal recognition of the Commission of Collegiate Nursing Education (CCNE) as a national nursing accrediting agency, finding that CCNE is a reliable authority to determine the quality of nursing education programs at the Baccalaureate, Masters, and Doctorate levels including programs offering distance education.

DTCC Owens ACEN Focus Visit Outcome Letter – Dr. Contino read a letter dated August 11, 2014 from Julie Seeley, Nursing Chairperson at the DTCC Owens Campus. The letter was from ACEN to Ms. Seeley. He said the letter was formal notification of the action taken by the ACEN at its meeting on July 10th and 11th, 2014. The Commission affirms continuing education for the Associate Degree Program with monitoring of standard six outcomes following the onsite review conducted for the implementation of the revised curriculum and a decrease in licensure examination pass rates. The monitoring report for standard six is due by August 1, 2015.

Delaware Developmental Disabilities Council (DDDC) CE Provider Application

Dr. Zickafoose explained that CE providers need to renew every three years. The Delaware Developmental Disabilities Council (DDDC) has been an approved provider in the past and has requested renewal at this time. The DDDC holds a Life Conference annually and this year have changed consultants to All-Clear Emergency Management Group. Dr. Zickafoose recommended renewal of their continuing education provider status. Ms. Bradley made a motion, seconded by Ms. Nellius, to accept the DDDC application for renewal of their provider status. By unanimous vote, the motion carried.

LICENSURE ISSUES (1:28:00)

Section 6 Rules & Regulations for Foreign Graduates 6.4.1.2 and 6.4.1.7

Dr. Zickafoose said she had two questions regarding section 6 of the Rules and Regulations which have to do with licensing.

The first question was about Regulation 6.4.1.2 with regard to The Commission for Graduates of Foreign Nursing Schools (CGFNS) which is an accrediting body that reviews applicants who graduate outside the United States. Applicants who graduate outside the United States have to go through the CGFNS process. If they have already done that and are licensed in another state then all they need to do is submit their CGFNS certificate with their application. Dr. Zickafoose said she talked to the people at CGFNS and their recommendation was, rather than accept a certificate that could be fraudulent, the applicant would go through CGFNS to get an official letter with a certificate which would cost \$100. CGFNS felt the letter was better than just a copy of the certificate. Of course, if the applicant has never gone through the process at all, they would still have to do that. Dr. Contino said CGFNS is a very

thorough group and he would support the proposed change.

The second question was about Regulation 6.4.1.7 with regard to the NCLEX examination:

6.4.1.7 Effective July 1, 1982, professional nurse applicants must have passed the NCLEX examination (with a minimum standard score of 1600) and practical nurse applicants must have passed the NCLEX examination (with a minimum standard score of 350) within four examination opportunities, within a period of two years or original notification of failure.

Dr. Zickafoose explained that Canadian applicants can start enrolling in November and can start taking the NCLEX in January 2015. Canadians will be considered foreign graduates and will have to get a CGFNS certificate. She then read regulation 6.4.1.7 and said it is not consistent with what is being done with other graduates. Right now U.S. graduates are allowed to take the NCLEX exam up to eight times each year for a total of five years. She asked the Board if they wanted to have different rules for foreign graduates or make them consistent. Mr. Salati made a motion, seconded by Ms. Moses, to make the rules consistent for foreign and U.S. graduates. By unanimous vote, the motion carried.

NCSBN

Dr. Zickafoose said she gave the new Board members a sign-on for the NCSBN website and a code to log on.

LICENSURE RATIFICATION

Dr. Williams made a motion, seconded by Ms. Bradley, to ratify the licensee list. By unanimous vote, the motion carried. The ratification list is attached at the end of the minutes.

PUBLIC COMMENT

Members of the public introduced themselves to the Board.

NEXT SCHEDULED MEETING

November 12, 2014 - 9:00 a.m.

861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

The Board reviewed the 2015 Board of Nursing meeting schedule. Dr. Zickafoose noted that the November 11, 2015 meeting date falls on a holiday and will have to be rescheduled. The Board discussed possible options and decided to change the date to November 18, 2015, with the meeting starting at 1:00 p.m.

ADJOURNMENT

The meeting adjourned at 2:40 p.m.

Respectfully Submitted,



Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing

HEARING MINUTES

HEARING – Rebecca Walker, RN

PRESENT: Robert Contino, Harland Sanders, Madelyn Nellius, David Salati, Kathy Bradley, Linda Darling, Megan Williams, Mary Lomax, Christine Moses, and Raymond Moore

RECUSED:

EXCUSED: Pamela Tyranski, Diane Halpern, Victoria Udealer

PURPOSE: Lift Suspension – RN

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Jennifer Singh, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Rebecca Walker

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: Dr. Eleanor Stump, and Cecelia Jones

COURT REPORTER PRESENT: Kim Hurley, Wilcox and Fetzer

TIME STARTED: 11:08 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Singh described the reason for the hearing and confirmed Ms. Walker was present. Board Exhibit #1 included a copy of the original disciplinary order, the DPHMP compliance report, and the letter dated 9/11/14 notifying Ms. Walker of today's hearing.

Ms. Walker was sworn in and gave a statement into the record. She submitted a treatment plan and the findings for that treatment plan which were marked as Respondent's Exhibit #1. Dr. Zickafoose handed out copies to the Board. Mr. Moore noted that the Treatment Findings document was not signed by anyone. Ms. Walker explained that the cover letter that went with the documents was signed by Mr. William Gale. Ms. Singh read the letter from Mr. Gale. The cover letter from Mr. Gale and his presentation summary regarding Ms. Walker were marked as Licensee Exhibit #2.

Ms. Walker called Ms. Cecelia Jones as a witness at 11:32 a.m. Ms. Jones explained how Ms. Walker helped her when her mother was ill and recommended the Board lift her suspension. Dr. Eleanor Stump was then called as a witness. She explained she has been a Chiropractor in Delaware for the past 38 years and said that she has become very good friends with Ms. Walker since meeting her in January 2014. She talked positively about Ms. Walker's character and said as a doctor herself she understands you can get depressed when you can't do what you've been trained to do.

The Board entered into deliberations at 11:38 a.m. Dr. Contino mentioned the two positive alcohol tests and the recommendation by Dr. Autry, the MRO for the DPHMP, who recommended an additional 6 months suspension with increased testing. After further discussion, the Board ended deliberations at 11:45 a.m. Mr. Sanders made a motion, seconded by Ms. Darling, to lift Ms. Walker's suspension, put her on probation for two years, including monitoring by DPHMP, with the provision that if she tests positive her license will be suspended for the remaining period of probation. Ms. Walker will also have to abide by the recommendations of the healthcare provider. By unanimous vote, the motion carried.

The hearing concluded at 11:47 a.m.

HEARING MINUTES

HEARING – Donna Williams, RN

PRESENT: Robert Contino, Harland Sanders, Madelyn Nellius, David Salati, Kathy Bradley, Linda Darling, Megan Williams, Mary Lomax, Christine Moses, and Raymond Moore

RECUSED:

EXCUSED: Pamela Tyranski, Diane Halpern, Victoria Udealer

PURPOSE: Lift Probation – RN

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Jennifer Singh, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Donna Williams

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Kim Hurley, Wilcox and Fetzer

TIME STARTED: 11:48 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Singh described the reason for the hearing and confirmed Ms. Williams was present. Board Exhibit #1 included the letter notifying Ms. Williams of this scheduled hearing dated 9/26/14, a copy of the original disciplinary order, a letter from Ms. Williams to the Board explaining that she hasn't committed any other violations, and a letter from her supervisor.

Ms. Williams was sworn in and gave a statement into the record. Dr. Contino asked her if she is still working at Stokely Center and if the letter submitted was from her supervisor at Stokely. Ms. Williams

answered 'yes' to both questions. Dr. Williams asked her if she completed her CE requirement and she said 'yes'. There were no more questions from the Board.

The Board entered deliberations at 11:55 a.m. Mr. Salati commented about systemic problems and Ms. Darling stated she only had 3 months to practice to indicate another error and probation should run concurrent with employment. The Board ended deliberations at 12:00 p.m. Mr. Salati made a motion, seconded by Ms. Nellius, to lift Ms. Williams probation without restrictions. By majority vote, the motion carried, with Mr. Sanders abstaining, and Dr. Lomax opposing.

The hearing concluded at 12:01 p.m.

HEARING MINUTES

HEARING – Johnna Hatter, RN

PRESENT: Robert Contino, Harland Sanders, Madelyn Nellius, David Salati, Kathy Bradley, Linda Darling, Megan Williams, Mary Lomax, Christine Moses, and Raymond Moore

RECUSED:

EXCUSED: Pamela Tyranski, Diane Halpern, Victoria Udealer

PURPOSE: Lift Suspension – RN

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Jennifer Singh, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Johnna Hatter, by telephone

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Kim Hurley, Wilcox and Fetzer

TIME STARTED: 1:04 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Jennifer Singh described the reason for the hearing and confirmed Ms. Hatter was present by phone. Ms. Hatter confirmed that she was not represented by council.

Board Exhibit #1 included a copy of the 9/12/14 letter notifying Ms. Hatter of the hearing, the original disciplinary order suspending her license, and the DPHMP monitoring report.

Ms. Hatter was sworn in and gave a statement into the record. She stated after the hearing with the Board last year she found an evaluator and began with the DPHMP in November 2013. She has been attending AA and has all negative drug screens. Mr. Sanders asked if the Board had documentation from Reliant Behavioral Health and Dr. Contino said they did. He asked Ms. Hatter if she had been employed during this time. Ms. Hatter said she had been employed in Kentucky in a scrap yard and is still employed there. She explained she answers phones, does paperwork and things of that nature.

The Board entered into deliberations at 1:12 p.m. Members discussed her compliance with the program and whether to impose additional CE hours. Members agreed since the new mandatory three hours in substance abuse was in place no additional hours were needed. The Board ended deliberations at 1:18 p.m. Ms. Nellius made a motion, seconded by Dr. Williams, to lift Ms. Hatter's suspension with probation for four years, including continued enrollment in the DPHMP, and to audit for CE compliance at the next renewal. If Ms. Hatter is not compliant her license will revert back to suspended status. By majority vote, the motion carried, with Mr. Sanders recused.

The hearing concluded at 1:25 p.m.

HEARING MINUTES

HEARING – Dominic Mulwa, LPN

PRESENT: Robert Contino, Harland Sanders, Madelyn Nellius, David Salati, Kathy Bradley, Linda Darling, Megan Williams, Mary Lomax, Christine Moses, and Raymond Moore

RECUSED:

EXCUSED: Pamela Tyranski, Diane Halpern, Victoria Udealer

PURPOSE: Lift Suspension –LPN

PRESIDING: Robert Contino, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Jennifer Singh, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Dominic Mulwa

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Kim Hurley, Wilcox and Fetzer

TIME STARTED: 1:30 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Jennifer Singh described the reason for the hearing and confirmed Mr. Mulwa was present without an attorney. A copy

of the original disciplinary notice suspending Mr. Mulwa's license, information from Mr. Mulwa's criminal probation, a copy of the letter notifying Mr. Mulwa of today's hearing dated 9/24/14, and the DPHMP compliance report dated 9/29/14, were marked as Board Exhibit #1. Two positive letters of reference were marked as Licensee Exhibit #1. Ms. Singh read both letters of reference to the Board.

Mr. Robert Greer was sworn in and explained he is the Executive Director and Administrator at Forwood Manor where Mr. Mulwa is currently employed as a CNA. Mr. Greer explained he is always impressed by Mr. Mulwa's dedication and determination to turn his life around since this happened. Dr. Contino asked Mr. Greer if he was going to place Mr. Mulwa back in an LPN role if his suspension is lifted and he said 'yes'.

The Board entered deliberations at 1:42 p.m. Members discussed possible conditions for probation. The Board ended deliberations at 1:44 p.m. Dr. Williams made a motion, seconded by Ms. Moses, to lift the suspension and proceed with a three year probation including continued enrollment in DPHMP. If the order is violated, the probation will convert automatically to suspension. By majority vote, the motion carried, with Ms. Nellius recused.

The hearing concluded at 1:45 p.m.

October 2014 Licensee Listing – RN's (101)

| | | | |
|------------|---------------------------------|------------|---------------------------------|
| L1-0045783 | Nuere, Jacqueline A. | L1-0045835 | O'Neil-Johnson, Hilary Rose |
| L1-0045784 | Anonuevo, Jonathan K | L1-0045836 | Rockey, Madeleine Elizabeth |
| L1-0045785 | Nuere, Adeline A. | L1-0045837 | Rees, Allison Leigh |
| L1-0045786 | Sikes, Jennifer A. Springer | L1-0045838 | Poole, Michelle M. McKeown |
| L1-0045787 | Trombetta, Kelli S. Ondus | L1-0045839 | Misenhelder, Samantha Ann |
| L1-0045788 | Newton, Kylishia Sheree | L1-0045840 | Canavan, Megan Christine |
| L1-0045789 | Longwill, Misty Dawn | L1-0045841 | Smith, Jodian Mellisa |
| L1-0045790 | Willis, Cherry L. Carmichael | L1-0045842 | Spillane, Madison G. |
| L1-0045791 | Gatti, Stephanie R. Grimes | L1-0045843 | Hennessey, Julia Ashley |
| L1-0045792 | McGowan, Shannon B. | L1-0045844 | Ditoro-Thornton, Gina Theresa |
| L1-0045793 | Ray, Carolyn E. | L1-0045845 | Jochym, Alyssa N. Driscoll |
| L1-0045794 | Street, Emilee R. | L1-0045846 | Bello, Dionisia Nidia |
| L1-0045795 | Connelly, Andrea K. Escajeda | L1-0045847 | Wrice, Felicia Nicole |
| L1-0045796 | Weiss, Brooke Michelle | L1-0045848 | Matula, Samuel Thopho |
| L1-0045797 | Buckner, Emily Dawn | L1-0045849 | McKelvey, Lindsay E. Cooper |
| L1-0045798 | Carbonetti, Cynthia Leigh | L1-0045850 | Helin, Megan Jean |
| L1-0045799 | Barbera, Joann L. Pontano | L1-0045851 | Squires, Kristin Helene Conklin |
| L1-0045800 | Beaulieu, Karen M. Yager | L1-0045852 | Virden, Mary A. Davis |
| L1-0045801 | Black, Catherine Mary | L1-0045853 | Breslin, Glenna Christine |
| L1-0045802 | Le, Ngoc-Le Nguyen | L1-0045854 | Curry, Thomas Arthur |
| L1-0045803 | Rowland, Kohren D. Dawson | L1-0045855 | McCoy, Thomas Martin |
| L1-0045804 | Page, Brittanny N. | L1-0045856 | Roarty, Thomas Michael |
| L1-0045805 | Yankello, Lee M. Breitenstein | L1-0045857 | Kumari, Amarjit |
| L1-0045806 | Dunbar, Victoria Elizabeth | L1-0045858 | Geleris, Bethany Lauren |
| L1-0045807 | Schneckenburger, Kathleen Marie | L1-0045859 | Schindewolf, Rosemarie Young |
| L1-0045808 | Nix, Mark David | L1-0045860 | Weidner, Laura Elise |
| L1-0045809 | Good, Sarah F. Blumberg | L1-0045861 | Baird, Jessica R. |
| L1-0045810 | King, Sheron O. Seerattan | L1-0045862 | Van Fossen, Michael D. |

| | | | |
|------------|--------------------------------|------------|------------------------------|
| L1-0045811 | Hasker, Lauren Elizabeth | L1-0045863 | Smith, Jenna Victoria |
| L1-0045812 | Gyrath, Kristen J. | L1-0045864 | Gregory, Christine Lee |
| L1-0045813 | O'Connell, Sheila M. McHugh | L1-0045865 | Njuakom, Morin Ibanimbom |
| L1-0045814 | Cordova-Canas, Boris Emilio | L1-0045866 | Hall, Melissa A. Manwaring |
| L1-0045815 | Salamon, Deborah L. Mulholland | L1-0045867 | Sommer, Lauren Elizabeth |
| L1-0045816 | Tvrdek, Sara K. Barta | L1-0045868 | Creek, Christina Faye |
| L1-0045817 | Gainey, Kathleen Michelle | L1-0045869 | Moody, Elizabeth A. Campbell |
| L1-0045818 | Soberanis-Sanabria, Melissa A. | L1-0045870 | Torchia, Kristen A. Lien |
| L1-0045819 | Smith, Andrew J. | L1-0045871 | Kelly, Megan Marie |
| L1-0045820 | Owens, Labrett S. | L1-0045872 | Okami, Laura P. Ralphe |
| L1-0045821 | Hermes, Lucinda A. Lowe | L1-0045873 | Kruger, Kimberly M. Walter |
| L1-0045822 | Callahan, Mark T. | L1-0045874 | Hand, Paula Latice |
| L1-0045823 | Laing, Kashual J. Davis | L1-0045875 | DiSipio, Theresa Christina |
| L1-0045824 | Gordon, Nephemia L. Rembert | L1-0045876 | Dominelli, Julianne |
| L1-0045825 | Palmer, Mitzie C. | L1-0045877 | McClure, Marjorie P. O'Neill |
| L1-0045826 | Mensik, Richard Bruce | L1-0045878 | O'Malley, Jennifer Dawn |
| L1-0045827 | Delacruz, Anthony | L1-0045879 | Tilton, Scott J. |
| L1-0045829 | Heneks, John | L1-0045880 | Marr, Dana Lynne |
| L1-0045830 | Kipnis, Amira | L1-0045881 | Jacobs, Mary Beth |
| L1-0045831 | Williams, Kelly M. Healy | L1-0045882 | Fraser, Carly Ann |
| L1-0045832 | Xavier, Jo Ann Rohrbach | L1-0045883 | Recktenwald, Elizabeth Joan |
| L1-0045833 | Tambe, Samuel M. | L1-0045884 | O'Donnell, Andrew John |
| L1-0045834 | Doherty, Matthew Jeffrey | | |

October 2014 Licensee Listing – LPN's (20)

| | |
|------------|------------------------------|
| L2-0012430 | Ison, Tischira S. |
| L2-0012431 | Massaley, Hawa T. |
| L2-0012432 | Dania, Adeyemo A. |
| L2-0012433 | Mihaly, Sarah Ann |
| L2-0012434 | Omwenga, Violet K. |
| L2-0012435 | Miller, Brittany Nicole |
| L2-0012436 | Selby, Tiesha Lashell |
| L2-0012437 | Valenzuela, Rodel M. |
| L2-0012438 | Thompson, Dana Nicole |
| L2-0012439 | Tooze, Steven Matthew |
| L2-0012440 | Adutwumwaa, Marian |
| L2-0012441 | Smith, Candice J. Schraepfer |
| L2-0012442 | Perez, Tameka W. |
| L2-0012443 | Euganeo, Joan M. Buckland |
| L2-0012444 | Davidson, Kendyl Elizabeth |
| L2-0012445 | Martin, Richard C. |
| L2-0012446 | Kargbo, Zainab Y. Bangura |
| L2-0012447 | Powers, Christine L. Miley |
| L2-0012448 | Saybay, Monsara |
| L2-0012449 | Brown, Sandra Elizabeth |

APN License Listing October 2014

| | |
|------------------|------|
| Laura Ho | CRNA |
| Francis Anderson | CRNA |

| | |
|-----------------------|---------------|
| Marilyn Piemontese | CRNA |
| Audrey Forka | Psych/MH NP |
| Elizabeth Recktenwald | Psych/MH NP |
| Mark Sanford | FNP |
| Beth Euston | FNP |
| Rebecca Lambert | FNP |
| Kelley Aiken | FNP |
| Julie Sexton | FNP |
| Amy Hitchens | FNP |
| Stephanie Sherrell | CNM |
| Anthony Delacruz | Adult/Gero NP |

APN Prescriptive Authority for October 2014

Family Nurse Practitioner

Arleen Mitchell
Meghan McCarter
Theresa Brady
Gayle Jones
Kelley Aiken
Rebecca Lambert

Adult/Gerontology Nurse Practitioner

Susan Petrillo

Psychiatric/Mental Health Nurse Practitioner

Kristin David
Audrey Forka

Neonatal Nurse Practitioner

Janet Dutcher

Pediatric Nurse Practitioner

Lindie Garrett

Certified Nurse Midwife

Stephanie Sherrell